



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,114	03/15/2004	Ephrem Wu	2789 2030-001

CONFIRMATION NO. 3272

021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133

## FORMALITIES LETTER



\*OC00000001 2852046\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$126 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1026 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/04/2004 HHEKONEN 00000086 122252 10802114  
01 FC:1001 770.00 DA  
02 FC:1202 126.00 DA  
03 FC:1051 130.00 DA

- Total additional claim fee(s) for this application is \$126
  - \$126 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

M-HALE  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ephrem Wu  
Application No.: 10/802,114 Group: 2661  
Filed: March 15, 2004 Examiner: Not Assigned  
Confirmation No.: 3272  
For: SYSTEM AND METHOD OF TRIBUTARY TIME-SPACE  
SWITCHING



<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being furnished to the United States Patent and Trademark Office on	
<u>08-02-04</u> Date	<u>Donna Bartolone</u> Signature
Donna Bartolone Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 3, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

*(Separate transmittal letter and postcard not required)*

☐ **POWER OF ATTORNEY DOCUMENT**

☐ Granted by Inventor(s)

☐ Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)

*(Separate transmittal letter and postcard not required)*

☐ **PRELIMINARY AMENDMENT**

*(Separate transmittal letter and postcard not required)*

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

☒ Claims as originally filed

☐ The Notice to File Missing Parts states an erroneous number of claims.

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

*(Separate transmittal letter and postcard not required)*

☒ **SURCHARGE** - surcharge fee of \$130.00

*(Separate transmittal letter and postcard not required)*

10/802,114

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☐ **SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **REPLACEMENT DRAWINGS** - ☐ sheets of replacement drawings consisting of Figs. 1 - ☐ are enclosed *(Separate transmittal letter and postcard not required)*

☐ A Petition to Accept Color Drawings/Photographs (Fig(s). ☐ ) and a Transmittal of Replacement Drawings, with attachments, are enclosed.

*(Separate check for fees and postcard required)*

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated  for  month(s) from  to  The appropriate fee of \$ is included in the enclosed check

☐ A  month extension of time to respond to the Notice to File Missing Parts dated  was filed on  with payment of a \$ fee

☐ Applicant hereby petitions for an additional  month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$ is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on

☐ Is enclosed herewith

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$ which were paid on  to be deposited in Deposit Account No. 08-0380

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 12-2252.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Todd A. Gerety

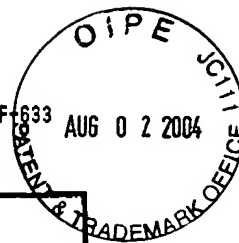
Registration No.: 51,729

Tel.: (978) 341-0036

Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 8/2/04

**HAMILTON, BROOK, SMITH & REYNOLDS, P.C.**

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>		Attorney Docket Number		2789.2030-001	
		Application Number		10/802,114	
		First Named Inventor		Ephrem Wu	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.18(c) or (d))	27 - 20* =	7	x \$ 18 =	\$ 126
	INDEPENDENT CLAIMS (37 CFR 1.18(e) or (f))	3 - 3** =	0	x \$ 86 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE (37 CFR 1.18(e) or (f))	\$ 770
				Total of above Calculations =	\$ 896
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =			\$	
	TOTAL =			\$ 896	
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =			\$ 130	
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =			\$	
	Assignment Recordation Fee = (only when filed with application)			\$	
			[Other]	\$	
			TOTAL =	\$ 1026	
<p>* Reissue claims in excess of 20 and over original patent</p> <p>** Reissue independent claims over original patent</p>					
<p>1. Small entity status:</p> <p>a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p>b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p>c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 12-2252 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input type="checkbox"/> A check is enclosed for. <input checked="" type="checkbox"/> Please charge \$1026.00 to Deposit Account No 12-2252.</p> <p>4. <input type="checkbox"/> Other _____</p>					
Signature				Date	8/2/04
Submitted by Typed or Printed Name		Todd A. Gerety		Reg. Number	51,729

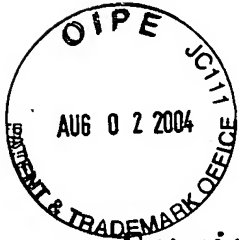
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
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Telephone: (978) 341-0036

Facsimile: (978) 341-0136

**FACSIMILE FILING OF PTO DOCUMENT**

**FACSIMILE COVER SHEET**



**Examiner:** Not yet assigned

**Group:** 2661

**Date:** August 2, 2004

**Client Code:** 2789

**Facsimile No.:** 703-746-4060

**From:** Todd A. Gerety, Esq.

**Subject: Paper:** Change of Correspondence Address  
Reply to Notice to File Missing Parts

**Docket No.:** 2789.2030-001

**Applicant:** Ephrem Wu

**Serial No.:** 10/802,114

**Filing Date:** March 15, 2004

Number of pages including this cover sheet: 10

Please confirm receipt of facsimile: Yes X No     

**Comments:**

@PFDsktop1 ODMA/MHODMA/HBSR05.iMmaga.478077;1

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